

REMARKS

Claims 1-23 were pending. Claims 1, 11, 16 and 19 have been amended. Therefore, claims 1-23 remain pending subsequent entry of this amendment.

35 U.S.C. § 112 Rejections

In the present Office Action, claims 1-23 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended each of claims 1, 11, 16, and 19 in a manner which is believed to overcome these rejections.

35 U.S.C. § 102(e) Rejections

Claims 1, 11, 16 and 19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,505,317 (hereinafter “Smith”). Applicant respectfully traverses these rejections and requests reconsideration.

Each of the pending claims recite features directed to placement designations. However, the cited art does not disclose features directed to placement designations. As described throughout the specification, including the Summary, placement designations are utilized in a particular manner. For example, the Summary describes how “contact points . . . are assigned a relative placement designation.” Further, a “placement designation of either the transmitter or receiver, or both, in an adjacent transmitter/receiver pair” may be “temporarily reassigned with a different designation.” Such features regarding placement designations are wholly absent from the cited art. Accordingly, for at least this reason, the presently claimed invention is not anticipated by the cited reference.

Applicant also notes the cited reference is not available as prior art under 35 U.S.C. § 103. The American Inventors Protection Act of 1999 amended 35 U.S.C. § 103(c) to state that art which qualifies as prior art only under § 102(e), (f) or (g) is not available for rejections under § 103 if that art and the subject matter of the application under examination were owned by or subject to an obligation of assignment to the same assignee at the time the invention was made. This change to 35 U.S.C. § 103(c) is effective for any application filed on or after November 29, 1999.

The present application is an application for patent filed after November 29, 1999. As noted by the examiner, at the time the invention was made, the subject matter of present application and the cited art were both owned by or subject to an obligation of assignment to the same assignee, Sun Microsystems, Inc..

Applicant believes the application to be in condition for allowance. However, if the examiner believes issues remain which would prevent the application from proceeding to allowance, a telephone interview is requested and would greatly appreciated in order to facilitate a resolution. The below signed representative can be reached at (512) 853-8866.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-91800/RDR.

Also enclosed herewith are the following items:

Return Receipt Postcard

Respectfully submitted,


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Date: May 15, 2006